

December 1, 2020

VIA ECF

The Honorable Sterling Johnson, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Lerman, et al. v. Apple Inc., 15-cv-07381 (SJ) (LB) (E.D.N.Y.)
Proposed Discovery Schedule

Dear Judge Johnson:

The parties write to follow-up on the status conference that Your Honor held in this action on November 19, 2020, to propose a discovery schedule for the merits phase of this action. The parties have continued to meet and confer concerning the amount of time each side will require for their respective discovery efforts and jointly request that the Court enter the following schedule related to merits discovery:

Event	Date
Fact Discovery	
Substantial completion of document productions	Documents and information shall be produced on a rolling basis. Apple's production in response to the discovery requests that Plaintiffs served on October 22, 2020, shall be substantially complete by March 31, 2021. ¹
Conclusion of fact discovery (including depositions)	June 18, 2021

¹ Apple reserves the right, should the Second Circuit grant its Rule 23(f) petition, to move for a stay of this case pending appeal. Plaintiffs reserve the right to oppose any such request.

Expert Discovery	
Plaintiffs identify experts	May 28, 2021
Plaintiffs' expert reports	Non-damages – June 30, 2021 Damages – July 14, 2021
Apple identifies experts	July 15, 2021
Apple's expert reports	Non-damages – August 25, 2021 Damages – September 8, 2021
Plaintiffs' reply expert reports	Non-damages – September 24, 2021 Damages – October 8, 2021
Conclusion of expert discovery (including depositions)	November 1, 2021
Briefing	
Summary judgment pre-motion conference request under Rule III.A of the Court's Individual Rules	November 12, 2021
Response to summary judgment pre-motion conference request under Rule III.A of the Court's Individual Rules	November 19, 2021
Summary Judgment, Decertification, & Daubert Briefing Schedule to be set in connection with summary judgment pre-motion conference	
Status Conference	Two weeks following close of briefing

The parties are available to provide the Court with any additional information on these topics that the Court requests.

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Dated: New York, New York
December 1, 2020

Respectfully submitted,

/s/ Michael Grunfeld

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Counsel for Plaintiffs and the Class

Cc: The Honorable Magistrate Judge Lois Bloom

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SO ORDERED:

DATED: _____

UNITED STATES DISTRICT JUDGE
HON. STERLING JOHNSON, JR.